

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Cathy L. Waldor
v. : Mag. No. 12-7331 (CLW)
JAMES G. DELLARATTA, : ORDER FOR CONTINUANCE
a/k/a "Jimmy Boy"

This matter having come before the Court on the joint application of Paul J. Fishman, United States Attorney for the District of New Jersey (David M. Eskew, Assistant U.S. Attorney, appearing), and defendant James G. Dellaratta, a/k/a "Jimmy Boy," (K. Anthony Thomas, Assistant Federal Public Defender, appearing), for an order granting a continuance of the proceedings in the above-captioned matter from February 17 to April 18, 2013, to permit defense counsel the reasonable time necessary for effective preparation in this matter and to allow the parties to conduct plea negotiations, and the defendant being aware that the defendant has the right to have the matter submitted to a grand jury within thirty days of the date of the defendant's arrest, pursuant to Title 18, United States Code, Section 3161(b), and the defendant having consented to the continuance and waived such right, and this being the second request for a continuance in this matter, and for good cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

(1) The charge in this case is the result of a lengthy investigation and involves a significant number of recordings, and defense counsel requires adequate time to counsel the defendant and review any evidence provided by the United States;

(2) Taking into account the exercise of diligence, therefore, the facts of this case require that defense counsel be permitted a reasonable amount of additional time for effective preparation in this matter; and

(3) Plea negotiations may be contemplated by the parties, and both the United States and the defendant desire additional time to engage in plea discussions, which disposition would render any grand jury proceedings and any subsequent trial of this matter unnecessary.

As a result of the foregoing, pursuant to Title 18, United States Code, Section 3161(h)(7), the ends of justice served by granting the continuance outweigh the best interest of the public and the defendant in a speedy trial.

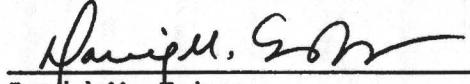
IT IS, therefore, on this 21st day of February, 2013,
ORDERED that this action be, and hereby is, continued for a period of 60 days from February 17 to April 18, 2013; and it is further

ORDERED that the period from February 17 to April 18,
2013 shall be excludable in computing time under the Speedy Trial
Act of 1974.

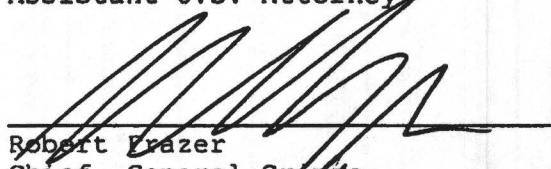


HON. CATHY L. WALDOR
United States Magistrate Judge

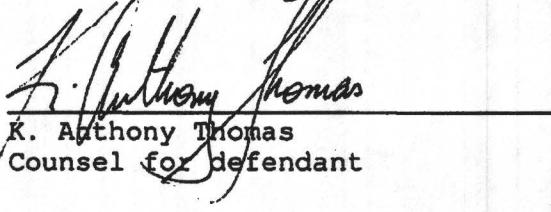
Form and entry
consented to:



David M. Eskew
Assistant U.S. Attorney



Robert Frazer
Chief, General Crimes



K. Anthony Thomas
Counsel for defendant